

*This is an Accepted Manuscript of an article published by Taylor & Francis in the Journal of European Public Policy, 2019, Vol. 26, Issue 12, available
online: <https://www.tandfonline.com/doi/full/10.1080/13501763.2019.1678058>*

From Back Rooms to the Street?

A Research Agenda for Explaining Variation in the Public Salience of Trade Policy-Making in Europe

Sophie Meunier (Princeton University) and Rozalie Czesana (Princeton University)

Abstract: After the negotiations for the Transatlantic Trade and Investment Partnership (TTIP) triggered massive public mobilization in the European Union (EU), literature emerged on the novel “politicization” of trade in Europe. To be sure, public salience was high around the TTIP negotiations. However, public salience over EU trade and investment negotiations has varied considerably over the past two decades. The objective of this paper is to stimulate a research agenda explaining such variation. After presenting evidence of variation (over time, across contemporaneous negotiations, and across Member States), we review a diverse set of literature to lay out six complementary explanations for why some trade deals provoke public salience, while others do not: changing nature of trade and investment negotiations; growing discontent with globalization; transformation of the media landscape; institutional changes brought about by the 2009 Lisbon Treaty; the role of the United States; and foreign interference.

Keywords: EU; negotiations; politicization; trade; TTIP

Acknowledgments: We wish to thank Crina Viju and Patrick Leblond for their constructive comments and edits, as well as three anonymous reviewers. Thanks also go to the participants to the workshop “European Union Trade Policy in the 21st Century” held at the University of Ottawa, 9 March 2018.

“People Power is Ending TTIP and Other Unpopular EU Free Trade Deals” titled the *Guardian* newspaper in 2016 (Cato 2016). Indeed, negotiations for the Transatlantic Trade and Investment Partnership (TTIP) between the United States (US) and the European Union (EU) have drawn hundreds of thousands of protesters to the streets and millions through online petitions across Europe in 2015-2016. TTIP and the Comprehensive Economic Trade Agreement (CETA) between the EU and Canada have become a common sight on negative stickers placarded throughout Europe.

Recent literature on the “politicization” of EU trade policy has emerged to explain why pan-European civil society has become vocal and mobilized around trade since TTIP (Young 2017; 2016b; De Ville and Siles-Brügge 2017; Chan and Crawford 2017; De Bievre and Poletti 2019; Laursen and Roederer-Rynning 2017; Bouza and Oleart 2018; Eliasson and Garcia-Duran Huet 2019; Garcia-Duran, Costa, and Eliasson 2019). This fits with a broader literature on the growing politicization of European policies, defined as increasing polarization of opinions and public salience (e.g. Wilde 2011; Schimmelfennig, Leuffen, and Rittberger 2015; De Bruycker 2017).

Public salience, defined as the “significance, importance and urgency that the general public ascribes to a certain issue on the political agenda” (Oppermaun and Viehrig 2009), was high around TTIP and CETA. However, the level of public salience over trade and investment negotiations in the EU has varied considerably over the past two decades, even over quasi-contemporaneous deals. Indeed, few Europeans have heard that the EU signed and implemented a massive agreement with Japan, creating the world’s largest free trade area; nor have they mobilized to stop deals with Singapore or Vietnam, which were negotiated at the same time as TTIP and CETA. Public salience has also varied across Member States: while protest emanated mostly from France in the late 1990s, it spread mainly through Germany and Austria during the TTIP and CETA negotiations. What explains such variation?

The objective of this paper is to stimulate a research agenda on the variation in public salience of EU trade deals by bringing together disparate literatures on the political economy of trade policy-making, interest group influence, and democratic deficit and accountability in global governance. After presenting evidence of such variation (over time, across contemporaneous negotiations, and across Member States), we lay out six complementary explanations for why some trade deals provoke public salience while others do not: changing nature of trade and investment negotiations; growing discontent with globalization; transformation of the media landscape; institutional changes brought about by the 2009 Lisbon Treaty; the role of the United States; and foreign interference. We offer observable implications for each explanation; however, proving or refuting them with adequate evidence is beyond the scope of this paper.

Variation in the public salience of EU trade policy-making

The public salience of the TTIP negotiations was unprecedented in Europe. We take as a proxy for public salience the level of public mobilization around particular negotiations, as the literature on civic group engagement in trade policy suggests a strong correlation between the two (Dür and Mateo 2014; Young 2016a). The TTIP episode has led scholars to theorize about the increased politicization of trade in the EU (e.g. Laursen and Roederer-Rynning 2017; Young 2017; Eliasson and Garcia-Duran Huet 2019; De Bièvre and Poletti 2017). However, what may have been interpreted around 2016 as the “new normal” has remained exceptional (Young, this issue). Instead, the defining characteristic of EU trade policy salience over the past two decades has been its variability.

Variation over time

While the TTIP and CETA negotiations represented a peak of interest and mobilization by the European public, trade negotiations have not become uniformly more salient over time. For decades, multilateral negotiations conducted under the aegis of the General Agreement on Tariffs and Trade (GATT) had low public salience in Europe. European media gave little prominence to coverage of the negotiations that the EU was simultaneously conducting with multiple countries and regions. This phenomenon was similar to what scholars of European integration have called the “permissive consensus”: pro-integration policies conducted by government elites with the tacit support or blissful ignorance from European publics to benefit the greater good (e.g. Lindberg and Scheingold 1970). But this permissive consensus regarding trade liberalization eroded in the late 1990s, the first period of intense EU trade policy salience.

The conclusion of the Uruguay Round of GATT in 1994 ushered in a new era for trade politics in Europe with the creation of the World Trade Organization (WTO). Foreign direct investment (FDI), however, was not included in the new trade regime. Yet FDI had become a crucial component of the new economic globalization that was spreading throughout the world through outsourcing and the creation of global value chains. Therefore, in 1995 the members of the Organization for Economic Cooperation and Development (OECD) began negotiating a Multilateral Agreement on Investments (MAI) designed to provide an institutional framework for international investment. What had started as a technical negotiation over investment rules soon turned into the first public mobilization of the new globalization era. In February 1997, when the MAI negotiations were nearing their end, an early draft was leaked to the NGO *Public Citizen* and published online. In response, more than 600 organizations in almost 70 countries expressed fervent opposition to the treaty (Kobrin 1998). The negotiators’ inability to agree played an important role in dooming the MAI, as did the more general anxiety about globalization, specifically the fear of giving too much power to large corporations and losing national

sovereignty. However, the MAI's failure was portrayed as the first successful public action against trade liberalization and the first Internet mobilization (e.g. Walter 2001; Warkentin and Mingst 2000).

Public salience remained high through the WTO's Third Ministerial Meeting in Seattle in December 1999. Before the negotiations launching a new "Millennium" round of multilateral trade negotiations even began, massive protests of up to 30,000 demonstrators disrupted the proceedings (Hopewell 2015). European civil society organizations, such as ATTAC¹, were spearheading the protest, notably French farmer Jose Bové, who had become a hero at home for his fight against McDonald's (Meunier 2000). Protesters claimed that the WTO was non-democratic; that its rules undermined environmental protection, labor standards and cultural values; and that it favored multinational corporations (Bayne 2000). Central Seattle became a war zone, with tear gas and rubber bullets, and then a ghost town, with empty streets and boarded-up windows. In the end, the ministerial meeting was suspended without agreement.

After these two back-to-back episodes of intense public salience, trade negotiations fell out of the public radar for the next ten years. Yet during that time, the EU was conducting many multilateral and bilateral negotiations, including with MERCOSUR, India, and ASEAN, and signed in 2009 the EU-South Korea Free Trade Agreement with low public salience, though strong opposition from traditional lobbies, especially the car industry (Siles-Brügge 2011).

The next episode of public salience occurred in 2011 around the negotiation of the Anti-Counterfeiting Trade Agreement (ACTA), a multilateral treaty establishing international standards for the transnational enforcement of intellectual property rights (IPRs) between nine countries and the EU.

¹ Association pour la Taxation des Transactions financières et pour l'Action Citoyenne, a French-based network of alter-globalization activists

The Council of the European Union adopted the agreement unanimously in October 2011. However, the ratification process triggered an EU-wide debate on the freedom of the Internet, as well as a petition signed by three million European citizens and widespread protests in more than 200 cities across Europe, denouncing the secrecy of the negotiations that had excluded civil society groups from the process (Dür and Mateo 2014). Documents were leaked, notably the Council mandate. In response to public mobilization against ACTA, the European Parliament (EP) took advantage of its new right to veto a draft international agreement negotiated by the Commission on behalf of the EU (Matthews and Žikovská 2013; Armanoviča and Bendini 2014). In July 2012, the EP voted overwhelmingly against the final agreement by 478 votes to 39, with 165 abstentions (European Parliament, 2012).

The apex of public involvement in trade policy happened around the TTIP negotiations between the US and the EU, which began in June 2013 and were suspended soon after Donald Trump's inauguration in January 2017. Mobilization from European civil society occurred almost instantaneously, with a myriad NGOs and grassroots organizations requesting transparency and access to negotiating documents. Concerned citizens had a high level of interest across most chapters (Gastinger and Adriaensen 2019) and demonstrated on the streets of Europe against TTIP. Municipalities throughout Europe established themselves as "TTIP-free zones."² Almost three and a half million Europeans signed the "Stop TTIP" European Citizens Initiative (ECI) petition against the deal.

This TTIP mobilization eventually spilled over to CETA, whose negotiations had started in 2009 with little salience. Public concern focused notably on the benefits for international corporations to the detriment of small, local businesses;³ regulatory changes that pose a threat to democracy and the rule

² <https://www.ttip-free-zones.eu/>

³ <http://www.ethicalconsumer.org/ethicalcampaigns/ttip/mobilisationagainstttip.aspx>

of law; lowering of social, environmental, and privacy standards ; deregulation of public services and cultural assets; and investor-state dispute settlement (ISDS) (e.g. Siles-Brügge 2017).

Public salience has, once again, retreated after the ACTA/TTIP/CETA episodes, even though the EU has redoubled its trade negotiation efforts. Therefore, when it comes to variation over time, the pattern of public salience of EU trade policy seems more episodic than linear. True, there was more mobilization around 2015 than ten years earlier, but there was also more mobilization in 1999 than ten years later.

Variation across contemporaneous negotiations

Public salience of EU trade policy is characterized further by variation across contemporaneous negotiations. While the ACTA, CETA and TTIP negotiations led to public mobilization, the EU was simultaneously negotiating other agreements that provoked little or no mobilization (Elsig and Dupont 2012; Suzuki 2017; Young 2017).

- The EU-Singapore Free Trade Agreement negotiations on goods and services happened between 2010 and 2012 and the investment protection chapter was concluded in 2014. The agreement, signed by the EU in October 2018, is now awaiting ratification.
- The EU negotiated a free trade agreement with Vietnam between 2012 and 2015. The agreement was signed by the EU in June 2019 and is now awaiting ratification.
- Between 2013 and 2017, the EU negotiated an Economic Partnership Agreement with Japan, implemented in February 2019.
- Between 1999 and 2019, the EU negotiated a massive trade agreement with MERCOSUR (Argentina, Brazil, Paraguay, Uruguay –Venezuela was suspended from the group in 2016), potentially creating the world’s largest free trade area by linking more than 770 million people. The signature of the agreement in June 2019 was criticized by

environmental protection groups and agricultural lobbies, but the negotiation itself did not rise to public salience (though public contestation may still occur in the ratification phase).

- The EU launched negotiations for free trade agreements with Australia and New Zealand in 2018 with no signs public salience to date.

Variation across countries

Public salience of EU trade policy also varies across Member States. In the late 1990s, France was the epicenter of public mobilization against trade and globalization. Founded in France in 1998, ATTAC, an organization instrumental in anti- WTO protests at that time, spread to over forty countries. By contrast, a decade later, Germany was the epicenter of coordinated demonstrations that gathered several hundreds of thousands of protesters in many cities in 2015 and 2016. These were the largest protests in Germany since the Iraq War (Theil 2016). Contestation against TTIP was widespread, with an estimated 70% of Germans opposing the deal (Bauer 2016). As Bauer has shown through an analysis of Google searches, interest in TTIP in Germany was three times higher than in Spain (another country where trade policy had rarely been controversial (Bouza and Oleart 2018)), 20 times higher than in France and 40 times higher than in Canada and the US (Bauer 2016). German and Austrian activists were also behind the extension of anti-TTIP arguments to CETA.

Thus, a research agenda to further the analysis of the politicization of trade in Europe needs to systematically assess variation across time, contemporaneous negotiations, and Member States. For instance, it would be useful to compare in-person and online mobilization for all trade deals mentioned above, across all EU Member States. How many people participated in protest marches and where? How many signed petitions? What nodes were at the center of such mobilization? Some scholars have

already started to conduct such research (Bauer 2016; Bouza and Oleari 2018), but more is needed to enable systematic comparisons.

Explaining variation in the public salience of EU trade policy-making

Weaving together a variety of literatures, this section proposes a research agenda to probe explanations for variation in public salience of trade deals. First, several economic, political and technological developments have facilitated public mobilization over trade negotiations in general. Second, specific features in the agreements under negotiation may trigger public salience, leading to different levels of interest and mobilization.

Changing nature of trade and investment negotiations

The rise of new trade partners and new trade issues transformed public interest in trade and investment policy-making in the past two decades. While the United States and the European Community dominated multilateral negotiations in the golden age of the GATT, the many countries that joined the WTO became active participants to these talks over the past two decades, thereby transforming the nature and outcome of agreements.

The nature of trade issues also changed. Trade politics used to involve bargaining down the competition coming from foreign countries, mostly in the form of tariffs and quotas “at the border”. The GATT’s Uruguay Round (1986-1994) marked the beginning of the rise of the new “behind the border” trade issues (Young and Peterson 2006). The EU became the most persistent advocate and defender of a “deep trade” agenda including services, competition policy, environmental standards, labor rights, and investment. As time progressed, and “low hanging fruit” issues were addressed in

international trade agreements, the remaining issues eligible for discussion were, by definition, the most difficult to resolve.

The costs and benefits of negotiating these “behind the border” issues have been more diffuse and harder to assess. How to quantify the social and economic effects of cleaner air, more stringent labor practices in third countries, or lack of hormones in beef? Moreover, these “new” trade issues have also been portrayed by Civil Society Organizations representing environmental and consumer interests as infringing upon the sovereign, democratic prerogatives of countries to regulate issues such as health and safety. As a result, they have been accompanied by a rise in political activism from groups questioning the legitimacy of technocratic policy-making and the absence of public democratic debate on trade policy (Gheyle and De Ville 2017).

These changes in the nature of the trade agenda have applied to all trade and investment negotiations since the advent of the WTO, increasing public salience overall (De Bièvre and Poletti 2017). However, some particular agreements go further than others in encroaching on these regulatory issues. We expect to observe that the broader and deeper a proposed agreement touches regulations and values, the more publicly salient it will be, because it will prompt the mobilization of new sectoral groups that were not active before. For instance, the unprecedented mobilization on TTIP has been analyzed as resulting from the unprecedented scope of its regulatory provisions (e.g. De Ville and Siles-Brügge 2017; Young 2016b). By contrast, agreements that do not include deep regulations, such as the EU-Vietnam agreement, are not expected to rise to the same level of public salience, though they would trigger the usual opposition from industrial lobby groups because of their distributive consequences.

Growing discontent with globalization

Over the past two decades, perceptions of globalization in advanced economies have shifted from enthusiasm or benign neglect to serious concern and downright opposition. In the EU, most recent

public protests were initiated in countries that have been winners of trade, such as Germany, and focused on agreements with the United States and Canada, not with emerging economies. The politics of anti-globalization have also changed. At the time of the MAI and Millennium Round failures, opposition to globalization was mainly coming from the far left. Today, it also comes from the populist right and even mainstream parties.

Trade has become more publicly salient because the distributional consequences of globalization have changed, with losses intensely concentrated on particular groups (e.g. Rodrik 2018). The growing power of emerging economies, now integral part of global value chains, created import-competition in sectors that had previously been shielded from liberalization. Outsourcing led to massive job losses in advanced industrialized democracies, even if this was accompanied by an increase in purchasing power for local consumers and in the rise of new creative and technological jobs. With the costs of adjustment concentrated in specific industries and specific regions particularly affected by plant closures (for instance steel and textiles), trade became a more politically salient issue (e.g. Rodrik 2018). Stagnating European economies also meant that the distributional effects of trade were felt more directly.

In turn, European politics have restructured around a new cleavage of openness vs. closure. The likely winners of globalization include entrepreneurs and qualified employees in sectors open to international competition, while expected losers consist primarily of unqualified workers in traditionally protected sectors (Kriesi 2010; Zürn and Wilde 2016). The lack of appropriate redistribution mechanisms remediate the divergent impact of globalization on the winners and losers has exacerbated political mobilization within national contexts (e.g. Siles-Brügge 2014). The EU sets trade policy, but national and regional parliaments, which have to ratify deals in case of mixed agreements, are left to deal with designing redistribution mechanisms.

Moreover, trade agreements are becoming more public because of the overall growing discontent with international cooperation. This discontent fueled the election of Donald Trump and his retreat from multilateralism (e.g. Stokes 2018). In Europe, this discontent has turned against European institutions, especially in instances where national politicians have been blaming Europe for the bad consequences of liberalization and globalization, while claiming credit for the good ones.⁴ As a result, we expect to observe contestation against trade agreements to be more scattered on the political spectrum, especially at the extremes, than it used to be twenty years ago. Variation could be explained as a factor of the political forces that feel challenged by a particular trade negotiation, how strong they are in their country's politics at that time, and whether they assess that it could serve as a beneficial issue to distinguish them from other political forces. It would be interesting, for instance, to map contemporary contestation on the political spectrum and compare it with opposition to the MAI and the Millennium Round.

The rise of the Internet and social media

Technocratic experts have long conducted negotiations 'behind closed doors'. This insulation from politics originated in the highly technical nature of trade negotiations, the importance of secrecy for bargaining power, and the expectation that the absence of public salience would foster liberalization by mitigating logrolling and collective action problems, similar to contemporary policy developments in the United States (Olson 1965; O'Halloran 1994; Hiscox 1999). Trade policy-making in the EU remained fairly unchanged for almost five decades after the original Article 113 in the Treaty of Rome (1957), which formally transferred the competence to negotiate and conclude international trade agreements from the individual Member States to the collective entity (e.g. Meunier 2005). The Council gives a

⁴ Jose Manuel Barroso, comment made during a public talk at the Woodrow Wilson School, Princeton University, 2016.

negotiating mandate to the Commission, which then conducts international trade negotiations on behalf of the EU. At the conclusion of the negotiations, the international agreement is voted up or down by the Council (and also the European Parliament since 2009). The rationale was that the end (trade liberalization) justified the means (low public salience). All along, European citizens had the right and capacity to mobilize, but this was difficult given the absence of public visibility of trade negotiations.

The rise of the Internet and social media has boosted the public salience of EU trade policy by forcing transparency, enabling expertise, shaping public opinion, and facilitating tools for mobilization.

Social media has facilitated the leaking and dissemination of negotiating documents. For instance, the “viral” leak of the Council Mandate during the ACTA negotiation prompted a crisis in the EP, ultimately resulting in a rejection of the agreement (Von Nordheim et al. 2018). The Commission has reacted to this forced transparency by enacting a policy promoting transparency (Coremans 2017; Gheyle and De Ville 2017), which in turn has increased public salience.

Social media has also softened the technical obstacles to the public salience of trade policy, which involve many economic sectors with peculiar customs codes, technicalities hidden in annexes and footnotes, and tortuous legal language that make it hard for average citizens to follow. This is compounded by the growth of regime complexes, where issues are linked across a multitude of nested and overlapping institutions and agreements (Raustiala and Victor 2004; Alter and Meunier 2009; Meunier and Morin 2017). As one of our interviewees told us, “I have been in the European Parliament Committee on International Trade (INTA) for 5 years and I still find it quite difficult.”⁵ By spreading access, social media has created a new breed of activists with their own technical expertise.

⁵ Personal interview 2, Brussels, October 2017.

Social media has also provided new tools for actors to shape narratives and preferences: online campaigns, mass email distribution and easily accessible publications on various blogs and websites (Von Nordheim et al. 2018). Opinions can be shared easily without having to go through peer review or traditional checks, which facilitates the spread of information, but also disinformation. People can make up their mind about complex documents with only a few seconds to process information and retweet or share documents and analyses, further contributing to trade policy salience.

A further consequence of the rise of social media on trade's public salience has been the capacity for efficient mobilization. Twitter, in particular, has helped publicize local causes to distant audiences and facilitate logistical communication among protesters on the ground (Segerberg and Bennett 2011). Various online and mobile tools have facilitated the coordinated organization of protests throughout the EU. Starting with the MAI negotiations in 1998, during which activists first took advantage of new online technologies (Walter 2001), the logistics of mass mobilization have become increasingly easy to plan.

We expect to observe that recent opposition to agreements has spread mostly through social media, increasing their public salience. Another observable implication would be that opposition is positively correlated with social media usage, potentially accounting for variation in mobilization across countries in the EU. Variation in public salience of contemporaneous agreements can be explained by the agency of particular actors in contributing to, or on the contrary withholding, the spread of information and organization.

Institutional change in the Lisbon Treaty

Two central institutional innovations brought about by the Lisbon Treaty, implemented in December 2009, may also explain variation in trade policy salience in Europe, both over time and among contemporaneous negotiations.

First, the Treaty empowered the European Parliament to approve or reject new trade agreements. Trade policy has long been distant from European citizens, who did not know, or care, how to influence the Brussels bureaucrats making trade policy at the supranational level since the Treaty of Rome. Unlike DG Trade staffers, domestic politicians in national parliaments and even members of the EP most often do not have the expertise required to understand the technical details of the complex and interconnected trade agreements.⁶

To accompany this empowerment, the Lisbon Treaty increased the general public information level around trade deals, particularly on the basis of Art. 218(10) TFEU, which states that the EP shall be immediately and fully informed at all stages of the negotiating procedure. Members of the European Parliament, the INTA committee in particular, have thus acquired newfound power in trade (Woolcock 2012), which they have exercised through parliamentary resolutions, hearings, opinions and questions to the Commission, which has in turn drastically increased transparency (Coremans 2017; Gheyle and De Ville 2017; Laursen and Roederer-Rynning 2017). Moreover, Trade Commissioner Cecilia Malmstrom has made transparency a core objective of the EU's trade agenda during her tenure, and the Commission now publishes key trade negotiation documents on DG Trade's website. The EU also sought to create formal channels where the public, through the voice of their representatives, could cooperate with trade policy-makers, for instance through the Civil Society Dialogue with a variety of stakeholders (Dür and De Bievre 2007) and the advisory group on EU trade agreements created in 2017.⁷

Furthermore, the Lisbon Treaty included new superseding principles to guide all EU policies, including safeguarding its values, supporting democracy and rule of law, preserving peace, fostering

⁶ Personal interview 1, Brussels, October 2017.

⁷ <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1777>

sustainable development, and improving the environment.⁸ As a result, any trade issue included in international negotiations can be challenged with respect to these guiding rules, which has broadened the potential for public interest.

The second crucial innovation of the Lisbon Treaty was to transfer competence over FDI to the supranational level. Because this transfer took place “by stealth” without prior political debate (Meunier 2017), the political controversy has happened instead in the implementation phase and played out in real time as the EU was in the midst of negotiating trade and investment agreements with other countries. In the past, European governments had signed with little public attention or controversy more than a thousand treaties allowing for Investor-State Dispute Settlement (ISDS), enabling foreign investors to obtain compensation in certain conditions through arbitration tribunals. However, since ISDS has become so politically controversial once moved to the EU level, it has increased public salience of deals that include both trade and investment provisions.

ISDS was indeed arguably the most decried provision of both TTIP and CETA. A public consultation on ISDS by the European Commission in 2014 resulted in over 150,000 responses, 97% of which were overly negative (European Commission 2015). As a result, the Commission announced in 2015 that it was adopting a new EU policy towards foreign investment, including the creation of a novel Investment Court System (ICS) for the resolution of investment treaty disputes to be included in all its investment treaties and free trade agreements with investment provisions from then on.

The Court of Justice of the European Union (CJEU) ruled in May 2017 that treaties including foreign investment provisions were mixed agreements, requiring ratification by each Member State in

⁸<http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-european-union-and-comments/title-5-general-provisions-on-the-unions-external-action-and-specific-provisions/chapter-1-general-provisions-on-the-unions-external-action/101-article-21.html>

addition to EU-level ratification by the Council and the EP.⁹ As a result, public salience increased as national parliaments became actors of trade policy (Meissner and Rosen 2019). This new role was demonstrated by Belgium's Walloon regional parliament, representing 3.6m people, which delayed the signing of the provisional application of CETA and led the EU and Canada to draft a legally-binding interpretative document to reassure the public in the fall of 2016 (European Union 2017). This has also led the EU to split trade and investor protection in its partnership agreements with Japan, which may explain why the EU-Japan EPA did not trigger public protests.

We expect to observe that the Lisbon Treaty's trade policy-making innovations have contributed to increased public salience. Has the growing assertiveness and expertise of INTA since 2009 increased or decreased the opposition of civil society organizations to particular trade agreements? This explanation also suggests that mixed agreements including investor protection will generate more public salience than exclusive competence agreements, which may account for some of the variation observed in the most recent contemporaneous negotiations.

The role of the United States

Strikingly, one common characteristic of all the deals that have triggered public salience (MAI, Millennium Round launch in Seattle, ACTA, and TTIP) is that the US was one of the parties involved.

One explanation for the greater public salience of agreements involving the US is the power of the negotiating partner (Young 2016a; De Bievre and Poletti 2019). The US, along with China, is the only country to enjoy trade power symmetry with the EU. If that explanation is valid, then we should also observe high public salience when the EU negotiates with China, but lower salience when the EU enjoys asymmetrical power over its negotiating partner, such as Vietnam or Canada. So far, however, little

⁹<https://www.iisd.org/itn/2017/06/12/ecj-rules-that-european-union-singapore-fta-requires-ratification-by-eu-member-states/>

public mobilization has occurred over the EU's negotiation of the Comprehensive Agreement on Investment with China launched in 2012. It would be worth studying the correlation between level of salience and/or mobilization (for instance via a Twitter analysis) and power symmetry.

We argue that it might be worth investigating a related, yet different, explanation: has anti-Americanism contributed to the negative sentiments toward specific trade deals? Surveys, such as the Pew Global Attitudes Project, have shown that European public opinion regarding the US fluctuates widely, depending on current events and on the occupant of the White House.¹⁰ However, we know from existing literature that there has been a historical undercurrent of anti-Americanism in some European countries, such as France, Germany, and Spain (e.g., Katzenstein and Keohane 2006). We would therefore expect agreements involving the US to be more publicly salient than agreements with other countries (Alons and Giacalone 2014). Indeed, attitudes towards the US spiked in Europe after the inauguration of Barack Obama and remained high throughout his two terms. One exception was the spur in negative sentiment towards the US following the 2014 NSA surveillance scandal in Germany. The revelations of Americans spying on their German allies and the Snowden testimony coincided in time with the eruption of anti-TTIP protests first in Germany, and then in the rest of Europe (Chan and Crawford 2017). It would be interesting to study in more detail, for instance through a Twitter analysis, how the two are linked.

The CETA negotiations between the EU and Canada, which took place between 2009 and 2014, warrant deepened scrutiny in this regard: though they included regulatory issues and ISDS, they only triggered public salience after opposition had mobilized around TTIP. As one of our DG Trade

¹⁰ <http://www.pewglobal.org/database/indicator/1/>

interviewees argued, “[...] an argument was proposed that CETA was going to be used by US companies to circumvent EU restrictions.”¹¹

Foreign interference

Our last, and most speculative, explanation is that the growing public salience of trade policy did not always arise organically. Rather, it may have resulted from interference by foreign powers with a divisive agenda. Such speculation may have seemed like paranoia when the initial anti-TTIP protests appeared in Germany, but given what we have learned in the wake of the 2016 US presidential election about the reach of Russian interference in American and European domestic politics, this has become a factor worthy of scholarly investigation.

Behind-the-scenes Russian meddling in other countries’ domestic politics has been growing in recent years. One avenue of meddling is the funding of particular political parties with anti-globalization and anti-EU agendas, such as France’s National Front, which received Kremlin-linked financial loans for the 2017 French presidential campaign (Samuel 2016).

Russia has also tried to shape the anti-globalization narrative in Europe through legitimate media outlets. RT (formerly Russia Today), a Moscow-based international television network and online platform, operates TV channels in multiple European countries. Considered a propaganda outlet for the Russian government, RT was found by UK media regulators to provide “materially misleading or not duly impartial content” repeatedly, to propagate anti-American and anti-European material, and to incite protest movements.¹²

¹¹ Personal interview 1, Brussels, October 2017

¹² <https://www.theguardian.com/media/2015/sep/21/rt-sanctioned-over-series-of-misleading-articles-by-media-watchdog>

Even large-scale sources considered reliable by the Western public, such as Google, are now influenced by Russia. Articles from Sputnik, a Russia-based international news agency, appear on the first pages of Google searches related to TTIP and CETA. This suggests potential mingling by actors able to pay for higher visibility and more frequent click-throughs, thereby influencing European and American public opinion on globalization and open borders.

The most likely source of foreign meddling, though hard to prove, is the use of “trolling”, whereby agents plant arguments online and then wait for unwitting citizens to latch on and organize protests that then take on a life of their own. The investigation into the 2016 US presidential election by Special Counsel Robert Mueller, as well as many investigative reports in the American press, have shed light on the workings of the “Internet Research Agency” (IRA), which spreads memes, talking points, and chaos through Western democracies by pushing on the right buttons (Chen 2015). The IRA was also the source of many pro-Leave messages on social media during the Brexit campaign (Mortimer 2017). Studies have since shown that, starting in 2016, Germany has been a prime target for Russian disinformation (Meister 2016).

This speculative explanation suggests that variation in public salience of trade negotiations may result from variation in an orchestrated chaos campaign preying on pre-existing divisions. Though we do not have actual evidence that foreign interference has played a decisive role in increasing public mobilization around trade deals in Europe (besides overheard rumors in Brussels), we suggest that this could prove a fruitful avenue for further research. It would be particularly interesting to study where anti-TTIP Twitter messages originated and how they have spread. The successes of Russia’s interference in sowing chaos and amplifying discord may have already prompted other countries and non-state actors to replicate these disinformation and propaganda tactics.

Conclusion

We have argued that the new literature on the politicization of EU trade policy needs to take into account variation in public salience of trade deals over time, across contemporaneous deals, and across countries. We suggest two directions in which to move the research agenda forward. First, we need better historical data to evaluate both in-person and online mobilization over the past two decades to accurately assess actual public salience. Second, we propose to investigate six complementary explanations of variation in public salience, complete with observable implications. Proving or disproving them with adequate evidence is beyond the scope of this paper. Neither do we rank them by order of importance. Rather, we weave together disparate literatures and suggest avenues for investigation in the hope of stimulating a research agenda. Future tests of these explanations will also be provided by the ratification of the agreements with Vietnam and MERCOSUR, the relaunching of (more modest) trade talks between the EU and the US, the continuation of negotiations for a Bilateral Investment Treaty with China, the newly launched negotiations with Australia and New Zealand, and maybe one day negotiations for a free trade agreement with China.

Finally, we could add a third set of questions for future research, once we know better how to assess and explain variation, relating to the policy implications of greater public salience. It would be particularly interesting, to probe whether increased transparency weakens or strengthens the EU's bargaining leverage, and whether public salience makes it more or less likely to reach a deal with the negotiating partner.

- Alons, Gerry, and Rita Giacalone. 2014. "Anti-Americanism and Trade Policy in Brazil and France." *Iberoamericana – Nordic Journal of Latin American and Caribbean Studies* 43 (1–2): 145. <https://doi.org/10.16993/ibero.26>.
- Alter, Karen J., and Sophie Meunier. 2009. "The Politics of International Regime Complexity." *Perspectives on Politics* 7 (1): 13–24. <https://doi.org/10.1017/S1537592709090033>.
- Bauer, Matthias. 2016. "The Political Power of Evoking Fear: The Shining Example of Germany's Anti-TTIP Campaign Movement." *European View* 15 (2): 193–212. <https://doi.org/10.1007/s12290-016-0424-4>.
- Bouza, Luis, and Alvaro Oleart. 2018. "From the 2005 Constitution's 'Permissive Consensus' To TTIP's 'Empowering Dissensus': The EU as a Playing Field for Spanish Civil Society." *Journal of Contemporary European Research* 14 (2): 87–104. <https://doi.org/10.30950/jcer.v14i2.862>.
- Cato, Molly Scott. 2016. "People Power Is Ending TTIP and Other Unpopular EU Free-Trade Deals | Molly Scott Cato." *The Guardian*. October 19, 2016. <http://www.theguardian.com/commentisfree/2016/oct/19/people-power-ending-ttip-eu-free-trade-deals-ceta>.
- Chan, Alexsia T., and Beverly K. Crawford. 2017. "The Puzzle of Public Opposition to TTIP in Germany." *Business and Politics* 19 (4): 683–708. <https://doi.org/10.1017/bap.2017.32>.
- Coremans, Evelyn. 2017. "From Access to Documents to Consumption of Information: The European Commission Transparency Policy for the TTIP Negotiations." *Politics and Governance; Lisbon* 5 (3): 29–39. <http://dx.doi.org/10.17645/pag.v5i3.1022>.
- De Bièvre, Dirk, and Arlo Poletti. 2017. "Why the Transatlantic Trade and Investment Partnership Is Not (so) New, and Why It Is Also Not (so) Bad." *Journal of European Public Policy* 24 (10): 1506–21. <https://doi.org/10.1080/13501763.2016.1254274>.
- De Bievre, Dirk, and Arlo Poletti. 2019. "Explaining Varying Degrees of Politicization of EU Trade Agreement Negotiations: On Necessary and Sufficient Conditions, a Research Note." *Paper Presented at the 2019 EUSA Conference, Denver, May*.
- De Bruycker, Iskander. 2017. "Politicization and the Public Interest: When Do the Elites in Brussels Address Public Interests in EU Policy Debates?" *European Union Politics* 18 (4): 603–19. <https://doi.org/10.1177/1465116517715525>.
- De Ville, Ferdi, and Gabriel Siles-Brügge. 2017. "Why TTIP Is a Game-Changer and Its Critics Have a Point." *Journal of European Public Policy* 24 (10): 1491–1505. <https://doi.org/10.1080/13501763.2016.1254273>.
- Dür, Andreas, and Gemma Mateo. 2014. "Public Opinion and Interest Group Influence: How Citizen Groups Derailed the Anti-Counterfeiting Trade Agreement." *Journal of European Public Policy* 21 (8): 1199–1217. <https://doi.org/10.1080/13501763.2014.900893>.

- Eliasson, Leif Johan, and Patricia Garcia-Duran Huet. 2019. *Civil Society, Rhetoric of Resistance, and Transatlantic Trade*. Springer International Publishing.
- Elsig, Manfred, and Cédric Dupont. 2012. "European Union Meets South Korea: Bureaucratic Interests, Exporter Discrimination and the Negotiations of Trade Agreements*." *JCMS: Journal of Common Market Studies* 50 (3): 492–507. <https://doi.org/10.1111/j.1468-5965.2011.02243.x>.
- European Union. 2017. "Joint Interpretative Instrument on the Comprehensive Economic and Trade Agreement (CETA) between Canada and the European Union and Its Member States." Official Journal of the European Union. [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22017X0114\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22017X0114(01)&from=EN).
- Garcia-Duran, Patricia, Oriol Costa, and Leif Johan Eliasson. 2019. "Managed Globalization: The European Commission Response to EU Trade Policy Politicization?" *Paper Presented at the 2019 EUSA Conference, Denver, May*.
- Gastinger, Markus, and Johan Adriaensen. 2019. "Of Principal(s') Interest? A Disaggregated, Multiple Principals' Approach to Commission Discretion." *JCMS: Journal of Common Market Studies* 57 (2): 353–70. <https://doi.org/10.1111/jcms.12801>.
- Gheyle, Niels, and Ferdi De Ville. 2017. "How Much Is Enough? Explaining the Continuous Transparency Conflict in TTIP." *Politics and Governance; Lisbon* 5 (3): 16–28. <http://dx.doi.org/10.17645/pag.v5i3.1024>.
- Hiscox, Michael J. 1999. "The Magic Bullet? The RTAA, Institutional Reform, and Trade Liberalization." *International Organization* 53 (04): 669–98. <https://doi.org/10.1162/002081899551039>.
- Hooghe, Liesbet, and Gary Marks. 2008. "A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus." *British Journal of Political Science* 39 (1): 1–23. <https://doi.org/10.1017/S0007123408000409>.
- Hopewell, Kristen. 2015. "Multilateral Trade Governance as Social Field: Global Civil Society and the WTO." *Review of International Political Economy* 22 (6): 1128–58. <https://doi.org/10.1080/09692290.2015.1066696>.
- Katzenstein, Peter J., and Robert O. Keohane, eds. 2006. *Anti-Americanisms in World Politics*. Cornell Studies in Political Economy. Ithaca, NY: Cornell University Press.
- Kobrin, Stephen J. 1998. "The MAI and the Clash of Globalizations." *Foreign Policy*, no. 112: 97–109.
- Kriesi, Hanspeter. 2010. "Restructuration of Partisan Politics and the Emergence of a New Cleavage Based on Values." *West European Politics* 33 (3): 673–85. <https://doi.org/10.1080/01402381003654726>.
- Laursen, Finn, and Christilla Roederer-Rynning. 2017. "Introduction: The New EU FTAs as Contentious Market Regulation." *Journal of European Integration* 39 (7): 763–79. <https://doi.org/10.1080/07036337.2017.1372430>.

- Lindberg, Leon N., and Stuart A. Scheingold. 1970. *Europe's Would-Be Polity: Patterns of Change in the European Community*. Prentice-Hall.
- Meissner, Katharina, and Guri Rosen. 2019. "Inter-Parliamentary Alliances or Transnational Party Competition? Exploring Interaction between National Parliaments and the European Parliament in Trade Policy." *Paper Presented at the 2019 EUSA Conference, Denver*, May 2019.
- Meister, Stefan. 2016. "The NATO Review." *NATO Review*.
<http://www.nato.int/docu/review/2016/Also-in-2016/lisa-case-germany-target-russian-disinformation/EN/index.htm>.
- Meunier, Sophie. 2000. "The French Exception." *Foreign Affairs*, July 1, 2000.
<https://www.foreignaffairs.com/articles/europe/2000-07-01/french-exception>.
- . 2005. *Trading Voices: The European Union in International Commercial Negotiations*. Princeton, NJ: Princeton University Press.
- . 2017. "Integration by Stealth: How the European Union Gained Competence over Foreign Direct Investment." *Journal of Common Market Studies*.
<http://onlinelibrary.wiley.com/doi/10.1111/jcms.12528/abstract>.
- Meunier, Sophie, and Jean-Frédéric Morin. 2017. "The European Union and the Space-Time Continuum of Investment Agreements." *Journal of European Integration* 39 (7): 891–907.
- O'Halloran, Sharyn. 1994. *Politics, Process, and American Trade Policy*. University of Michigan Press.
- Olson, Mancur. 1965. *The Logic of Collective Action*. Harvard University Press.
- Oppermann, Kai, and Henrike Viehrig. 2009. "The Public Salience of Foreign and Security Policy in Britain, Germany and France." *West European Politics* 32 (5): 925–42.
<https://doi.org/10.1080/01402380903064804>.
- Raustiala, Kal, and David G. Victor. 2004. "The Regime Complex for Plant Genetic Resources." *International Organization* 58 (2): 277–309.
<https://doi.org/10.1017/S0020818304582036>.
- Rodrik, Dani. 2018. "Populism and the Economics of Globalization." *Journal of International Business Policy* 1 (1): 12–33. <https://doi.org/10.1057/s42214-018-0001-4>.
- Schimmelfennig, Frank, Dirk Leuffen, and Berthold Rittberger. 2015. "The European Union as a System of Differentiated Integration: Interdependence, Politicization and Differentiation." *Journal of European Public Policy* 22 (6): 764–82.
<https://doi.org/10.1080/13501763.2015.1020835>.
- Siles-Brügge, Gabriel. 2011. "Resisting Protectionism after the Crisis: Strategic Economic Discourse and the EU–Korea Free Trade Agreement." *New Political Economy* 16 (5): 627–53. <https://doi.org/10.1080/13563467.2011.602187>.

- . 2014. “Explaining the Resilience of Free Trade: The Smoot–Hawley Myth and the Crisis.” *Review of International Political Economy* 21 (3): 535–74. <https://doi.org/10.1080/09692290.2013.830979>.
- . 2017. “Transatlantic Investor Protection as a Threat to Democracy: The Potency and Limits of an Emotive Frame.” *Cambridge Review of International Affairs* 30 (5–6): 464–88. <https://doi.org/10.1080/09557571.2018.1461805>.
- Stokes, Doug. 2018. “Trump, American Hegemony and the Future of the Liberal International Order.” *International Affairs* 94 (1): 133–50. <https://doi.org/10.1093/ia/iix238>.
- Suzuki, Hitoshi. 2017. “The New Politics of Trade: EU–Japan.” *Journal of European Integration* 39 (7): 875–89. <https://doi.org/10.1080/07036337.2017.1371709>.
- Theil, Stefan. 2016. “From the Magazine: How Activists Outfoxed the Establishment.” *Handelsblatt*, October 21, 2016. <https://www.handelsblatt.com/today/from-the-magazine-how-activists-outfoxed-the-establishment/23541760.html>.
- Von Nordheim, Gerret, Karin Boczek, Lars Koppers, and Elena Erdmann. 2018. “Digital Traces in Context| Reuniting a Divided Public? Tracing the TTIP Debate on Twitter and in Traditional Media.” *International Journal of Communication* 12 (0): 22. <https://ijoc.org/index.php/ijoc/article/view/5976>.
- Walter, Andre. 2001. “NGOs, Business, and International Investment: The Multilateral Agreement on Investment, Seattle, and Beyond.” *Global Governance* 7: 51–74. <https://heinonline.org/HOL/P?h=hein.journals/glogo7&i=61>.
- Warkentin, Craig, and Karen Mingst. 2000. “International Institutions, the State, and Global Civil Society in the Age of the World Wide Web.” *Global Governance* 6: 237–58. <https://heinonline.org/HOL/P?h=hein.journals/glogo6&i=197>.
- Wilde, Pieter De. 2011. “No Polity for Old Politics? A Framework for Analyzing the Politicization of European Integration.” *Journal of European Integration* 33 (5): 559–75. <https://doi.org/10.1080/07036337.2010.546849>.
- Woolcock, Stephen. 2012. *European Union Economic Diplomacy: The Role of the EU in External Economic Relations*. Ashgate.
- Young, Alasdair R. 2016a. “Intergovernmental Policy Makes Transnational Politics? The Distinctive Politics of the TTIP Negotiations.” *Paper Presented at the 2016 Conference of Europeanists*.
- . 2016b. “Not Your Parents’ Trade Politics: The Transatlantic Trade and Investment Partnership Negotiations.” *Review of International Political Economy* 23 (3): 345–78. <https://doi.org/10.1080/09692290.2016.1150316>.
- . 2017. *The New Politics of Trade: Lessons from TTIP*. Agenda Publishing.
- Young, Alasdair R., and John Peterson. 2006. “The EU and the New Trade Politics.” *Journal of European Public Policy* 13 (6): 795–814. <https://doi.org/10.1080/13501760600837104>.

Zürn, Michael, and Pieter de Wilde. 2016. "Debating Globalization: Cosmopolitanism and Communitarianism as Political Ideologies." *Journal of Political Ideologies* 21 (3): 280–301. <https://doi.org/10.1080/13569317.2016.1207741>.